

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ACLU FOUNDATION OF TEXAS, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY and U.S. CUSTOMS AND
BORDER PROTECTION,

Defendants.

Civil Action No. 4:17cv-01128

JOINT STATUS REPORT

The Parties hereby provide the following update on the status of the instant case. Since receiving Plaintiff's request (the "Request") under the Freedom of Information Act in February 2017, Defendants have processed approximately 13,838 pages of potentially responsive documents in responding to Plaintiff's request. Of those processed pages, Defendants have released in whole or in part (or in some cases withheld in full pursuant to statutory exemptions from production) 6,893 pages of records responsive to Plaintiff's request, including 292 spreadsheets.¹

The most recent production of documents occurred on November 29, 2018. On December 3, 2018, counsel for Defendants advised counsel for Plaintiff that Defendants had completed

¹ Plaintiff states that Defendants sought and were denied transfer of the instant request to a multi-district litigation panel, which would have transferred 13 actions concerning FOIA requests to obtain local records concerning the implementation of President Trump's January 27 Executive Order. (Plaintiff states that its request concerns local records specific to implementation only at Houston's Bush Continental Airport and Dallas/Ft. Worth International Airport.) Before the request to transfer to MDL was denied in August 2017, Defendants aggregated all of the requests at issue and released 242 pages of documents, 214 of which they subsequently identified as responsive to all of the ACLU affiliate requests for CBP field records, which includes Plaintiff's request.

their response to Plaintiff's Request. Plaintiff is in the process of reviewing the additional responsive materials and evaluating whether it will seek any further action from the court.

The Parties propose filing a further joint status report by January 30, 2019.

Dated: December 14, 2018

Respectfully submitted,

/s/ Edgar Saldívar
Edgar Saldívar
Texas Bar No. 24038188
SD Texas Bar No. 618958
Attorney-in-Charge
ACLU FOUNDATION OF TEXAS, INC
5225 Katy Freeway, Suite 350
Houston, Texas 77007
Tel: 713-942-8146
Fax: 713-942-8966

Kali Cohn
Texas Bar. No. 24092265
S.D. Tex. Bar No. 2461809
ACLU FOUNDATION OF TEXAS, INC
6440 N. Central Expressway
Dallas, TX 75206
Tel: 214-346-6577
Fax: 713-942-8966

Attorneys for Plaintiff
ACLU FOUNDATION OF TEXAS, INC.

JOSEPH H. HUNT
Assistant Attorney General

RYAN K. PATRICK
United States Attorney

ELIZABETH J. SHAPIRO
Deputy Director, Federal Programs Branch

ANDREW A. BOBB
Assistant United States Attorney

/s/ James Powers
JAMES R. POWERS

Trial Attorney
Federal Programs Branch
U.S. Department of Justice, Civil Division
SBOT No. 24092989
Fed. Bar No. 2717214
1100 L Street, NW
Washington, DC 20005
Telephone: (202) 353-0543
Email: james.r.powers@usdoj.gov

ATTORNEYS IN CHARGE FOR DEFENDANTS